

HONORABLE JOHN C. COUGHENOUR

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT SEATTLE

ORIONSWAVE, LLC, a Washington limited
liability company; and NILS LAHR,
an individual,

Plaintiffs,

v.

CHALLENGED, LLC, a Delaware limited
liability company; and SOCIAL BET, INC.,
a Delaware corporation,

Defendants.

CASE NO. C16-0673-JCC

ORDER GRANTING PLAINTIFFS'
MOTION FOR ENTRY OF DEFAULT
JUDGMENT

This matter comes before the Court on the motion for default judgment by Plaintiffs OrionsWave, LLC and Nils Lahr (Dkt. No. 14). The Court has considered the motion and the relevant record. Based upon the foregoing, the Court FINDS that:

(1) Defendants Challenged, LLC and Social Bet, Inc. were properly served in this matter on or about May 16, 2016 (Dkt. Nos. 7, 8);

(2) The Clerk entered an order of default against Defendants on July 27, 2016 (Dkt. No. 13);

(3) Defendants have failed to appear or otherwise defend in this action; and

(4) The factors set forth in *Eitel v. McCool*, 782 F.2d 1470, 1471-72 (9th Cir. 1986) support granting default judgment in Plaintiffs' favor.

1 Accordingly, Plaintiffs' motion for default judgment (Dkt. No. 14) is GRANTED in its
2 entirety. The Court AWARDS the following relief to Plaintiffs:

- 3 a. Judgment against Challenged, LLC in the amount of \$268,900.95¹;
- 4 b. Judgment against Social Bet, Inc. in the amount of \$158,362.11;
- 5 c. Declaratory judgment in favor of OrionsWave, LLC against Challenged, LLC
6 affirming OrionsWave's ownership of the Challenged app and cloud platform created by
7 OrionsWave;
- 8 d. Declaratory judgment in favor of OrionsWave against Social Bet, affirming
9 OrionsWave's ownership of the YouBetMe app and cloud platform created by OrionsWave;
- 10 e. Attorney fees and costs incurred in preparing this motion and the motion for
11 default in the amount of \$5,885.00; and
- 12 f. Post-judgment interest.

13 In addition, the status conference set for September 6, 2016 is hereby VACATED. The
14 Clerk is DIRECTED to close this case.

15 DATED this 29th day of August 2016.

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John C. Coughenour
UNITED STATES DISTRICT JUDGE

26 ¹ This amount is based on the \$240,090.13 owed, as established by the invoices in Exhibit B to
Lahr Declaration (Dkt. No. 15), plus 12 percent interest calculated simply.